

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;"><i>Application Number</i></td> <td style="padding: 2px;">10/528,103</td> </tr> <tr> <td style="padding: 2px;"><i>Filing Date</i></td> <td style="padding: 2px;">October 3, 2005</td> </tr> <tr> <td style="padding: 2px;"><i>Examiner Name</i></td> <td style="padding: 2px;">Ernest G. Therkorn</td> </tr> <tr> <td style="padding: 2px;"><i>First Named Inventor</i></td> <td style="padding: 2px;">Hartmut Schlueter</td> </tr> <tr> <td style="padding: 2px;"><i>Group Art Unit</i></td> <td style="padding: 2px;">1797</td> </tr> <tr> <td style="padding: 2px;"><i>Attorney Docket Number</i></td> <td style="padding: 2px;">MERCK-3002</td> </tr> </table>	<i>Application Number</i>	10/528,103	<i>Filing Date</i>	October 3, 2005	<i>Examiner Name</i>	Ernest G. Therkorn	<i>First Named Inventor</i>	Hartmut Schlueter	<i>Group Art Unit</i>	1797	<i>Attorney Docket Number</i>	MERCK-3002
<i>Application Number</i>	10/528,103												
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**Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.	Submission required under 37 C.F.R. § 1.114
a.	<input type="checkbox"/> Previously submitted
i.	<input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
ii.	<input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
iii.	<input type="checkbox"/> Other _____
b.	Enclosed
i.	<input checked="" type="checkbox"/> Amendment/Reply
ii.	<input type="checkbox"/> Affidavit(s)/Declaration(s)
iii.	<input type="checkbox"/> Information Disclosure Statement (IDS)
iv.	<input type="checkbox"/> Other _____
2.	Miscellaneous
a.	<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
b.	<input type="checkbox"/> Other _____
3.	Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
a.	<input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. <u>13-3402</u>
i.	<input type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)
ii.	<input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
iii.	<input type="checkbox"/> Other _____
b.	<input type="checkbox"/> Check in the amount of \$ _____ enclosed
c.	<input checked="" type="checkbox"/> Payment by credit card via EFS

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
<i>Name (Print /Type)</i>	Harry B. Shubin	<i>Registration No. (Attorney/Agent)</i>	32,004
<i>Signature</i>	/Harry B. Shubin/	<i>Date</i>	June 22, 2009

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:			
<i>Name (Print /Type)</i>		<i>Date</i>	
<i>Signature</i>		<i>Date</i>	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.